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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Original Application No. 280 of 1995.

Allahabad, this the 15th day of November, 2002.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

HON'BLE MR. S JHA, A.M.

Mohd. Naseem Khan,
Son of Sri Mohd. Afjal Khan
Resident of Village and Post
Office Bharatganj, District Allahabad.

.....Applicant.

(By Advocate : Sri R.P.Singh)

Versus.

1. Union of India
through the Director General (Posts)
Dak Bhawan, New Delhi.
2. The Sr. Superintendent of Post Offices,
Allahabad Division, Allahabad.
3. The Employment Officer,
Employment Exchange,
Allahabad.

.....Respondents.

(By Advocate : Sri S.C. Tripathi)

O R DEER (Oral)

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

By this O.A. filed under section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to the respondent Nos 2 and 3 to add the name of the applicant in the list of suitable candidates for being appointed as E.D.B.P.M. Branch post Office, Nahwai, District Allahabad.

2. It appears that for appointment of E.D.B.P.M. of the aforesaid Branch, the requisition of the applicant has been

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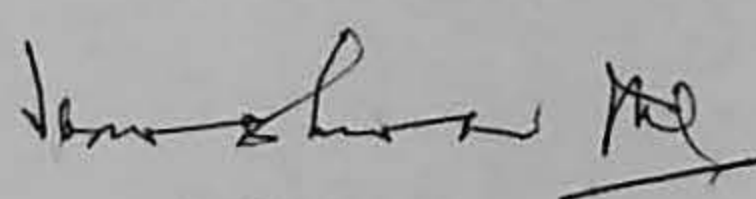
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given to the Employment Exchange. However, the name of the applicant was not sponsored by respondent No. 3 thereafter, selection took place and one of Sri Prabhunath was found ^a suitable candidate and appointed by order dated 23rd June, 1995. The legal position is well settled that if ~~even~~ the name of the candidate was not sponsored by the Employment Exchange, ~~he~~ ^{he} could make application directly to respondents for consideration, ^{for} an appointment on the post advertised. In the present case, the applicant did not make application ^{by} direction, which could be considered at the time of selection, ^{by} thus, the applicant is not entitled for any relief. Further, the person who has been selected ^{has been} and appointed for the posts, ^{he has not been} ~~impleaded~~ ^{impleaded} in T.D.A., and with his absence relief cannot be granted.

3. For ~~the~~ reasons above, the applicant is not entitled for any relief. The O.A. has no merit and ^{is} accordingly rejected.

No order as to costs.


MEMBER: A


Vice-Chairman.

Manish/-